

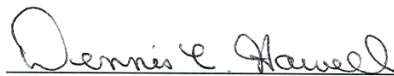
**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:12cv43**

**AVERY T. CASHION, III and** )  
**RAYMOND M. CHAPMAN,** )  
**Plaintiffs,** )  
 )  
**v.** )  
 )  
**PISGAH COMMUNITY BANK, a** )  
**NORTH CAROLINA CORPORATION,** )  
 )  
**Defendant.** )  
\_\_\_\_\_ )

**ORDER**

Defendant filed a Motion to Dismiss [# 5] the Complaint. Subsequently, Plaintiffs filed an Amended Complaint. The filing of an amended complaint supercedes the original complaint and renders it void of any legal function in the case. Young v. City of Mount Ranier, 238 F.3d 567, 572 (4th Cir. 2001). Accordingly, the Court **DENIES as moot** Defendant's Motion to Dismiss [# 5].

Signed: April 26, 2012



Dennis L. Howell  
United States Magistrate Judge

